

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 5 be amended to read as follows:

- 1 Page 1, line 3, delete "section 3(c) and 3(d)" and insert "**sections**
- 2 **3(c), 3(d), and 3.5**".
- 3 Page 2, delete lines 9 through 13.
- 4 Page 3, delete lines 18 through 23.
- 5 Page 3, delete lines 25 through 28, begin a new line block indented
- 6 and insert:
- 7 "(5) must:
- 8 (A) first be reduced by the amount of any **benefits to which**
- 9 **the patient is entitled under the terms of any contract,**
- 10 **health plan, or** medical insurance; ~~proceeds paid to the~~
- 11 ~~hospital on behalf and~~
- 12 (B) **reflect credits for all payments, contractual**
- 13 **adjustments, write-offs, and any other benefit in favor of**
- 14 **the patient;**
- 15 after the hospital has made all reasonable efforts to pursue the
- 16 insurance claims in cooperation with the patient."
- 17 Page 3, line 39, delete "the patient's".
- 18 Page 4, delete lines 14 through 29, begin a new paragraph and
- 19 insert:
- 20 "**(d) A hospital lienholder is barred from seeking from the**
- 21 **patient or the patient's representative payment for any amount of**
- 22 **the hospital's charges that exceed the patient's financial obligation**
- 23 **to the hospital under the terms of any public or private benefits to**
- 24 **which the patient is entitled, including the terms of any health plan**

1 **contract and medical insurance. The lien must reflect credits for all**
2 **payments, contractual adjustments, write-offs, and any other**
3 **benefit in favor of the patient.**

4 **(e) A hospital lienholder is barred from enforcing the collection**
5 **of charges covered by this chapter until the cause of action, suit, or**
6 **claim accruing to the patient has been resolved by compromise,**
7 **settlement, or judgment."**

(Reference is to ESB 5 as printed April 5, 2013.)

Representative McMillin